

Licensing Sub-Committee

Friday 24 August 2018

10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street,
London SE1 2QH

Supplemental Agenda No.1

List of Contents

Item No.	Title	Page No.
6.	Licensing Act 2003: Pulse, 1 Invicta Plaza, London SE1 9UF - Temporary event Notices	1 - 70

Contact

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Date: 21 August 2018

Item No. 6.	Classification: Open	Date: 24 August 2018	Meeting Name: Licensing sub-committee
Report title:		Licensing Act 2003: Pulse Club, 1 - 4 Blackfrairs Arches, Invicta Plaza, London SE1 9UF	
Ward(s) or groups affected:		Borough and Bankside	
From:		Strategic Director of Environment and Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee decide whether or not to issue counter notices in respect of temporary event notices (TEN) 864429, 864420, 864424 served by Gareth Roberts for events to be held at Pulse Club 1-4 Blackfrairs Arches, Invicta Plaza, London SE1 9UF. The TENs are between 09:00 on Thursday 06 September 2018 to 05:00 on Friday 07 September 2018.

Note:

2. The TEN's submitted are for various locations within Pulse club described by the applicant as Pulse club - Area 1, Pulse club - Area 2, Pulse club – Arch 5, space adjacent to Pulse to allow sound and and glassware use immersive event with different areas sectioned off and capacity controlled. Use of Areas 3-5 Pulse club to allow glassware for corporate event – immersive event with different areas sectioned off and capacity controlled.

BACKGROUND INFORMATION

The Licensing Act 2003

3. On 24 November 2005 the Licensing Act 2003 came into effect establishing a licensing regime for the following licensable activities:
 - a) The retail sale of alcohol
 - b) The supply of alcohol to club members or on behalf of a club
 - c) The provision of regulated entertainment
 - d) The provision of late night refreshments.
4. The Act established a process for the giving of “temporary event notices” (TENs).
5. Amendments to the Licensing Act 2003 were brought about by way of the Police Reform and Social Responsibility Act 2011 as of 25 April 2012.
6. A premises user may serve a TEN, where it is proposed to use the premises concerned to provide one or more licensable activities for a period not exceeding 168 hours for less than 500 persons.

7. A person holding a personal license issued under the Act may serve up to 50 TENs in a calendar year. Non-personal licence holders may serve up to five TENs in the same period. No premises may be used for more than 15 TENs in a calendar year or for more than 21 days in a calendar year.
8. No premises may be used for temporary events that are less than 24 hours apart.
9. The police or environmental health authority may intervene to prevent such an event taking place or agree a modification of the proposed arrangements, and their intervention may in some cases result in the licensing authority imposing conditions on a TEN.
10. If the police or environmental health team believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. This must be given within three working days of the receipt of the TEN.
11. A TEN does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required.
12. The police or environmental health may contact the premises user to discuss their objections and attempt to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified. If there is no agreement, the licensing authority must hold a hearing to consider the notice.
13. If the licensing authority receives an objection notice from the police or environmental health that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions, and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and give a counter notice. This prohibits the event from taking place.

KEY ISSUES FOR CONSIDERATION

The temporary event notices

14. On 13 August 2018 three TENs were served by Gareth Roberts in respect of an event intended to be held at Pulse Club 1 - 4 Blackfrairs Arches, Invicta Plaza London SE1 9UF. A copy of the TENs are attached to this report as Appendix A. The TENs are summarised as follows:
 - TEN 864429 to be held in Areas 1 and 2 at Pulse Club, 1 - 4 Invicta Plaza, London SE1 9UF.
 - TEN 864424 to be held at Arch 5 space adjacent to Pulse 5, Invicta Plaza London SE1 9UF.

- TEN 864420 to be held at Areas 3 to 5 at Pulse Club, 1 - 4 Invicta Plaza London SE1 9UF.
- Each TEN is to allow the sale of by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment between 09:00 on Thursday 6 September 2018 through to 05:00 the following morning on Friday 7 September 2018. The three TEN applications seek to licence one large event (Flavourology) at the premises which will be for 1298 persons. The activities are to take place on two separate premises.
- The TENs state that they are to use the designated areas to allow the use of glassware for corporate event, an immersive event with different areas sectioned off and capacity controlled.

The objection notice

15. On 13 August 2018 the councils environmental protection team (EPT) served an objection notice in respect of the various TENs submitted for Pulse Club, 1 - 4 Invicta Plaza London SE1 9UF and 5 Invicta Plaza London SE1 9UF on the grounds of public nuisance.
16. The EPT objection notice states that the TENs applications are all applied for by Mr Gareth Roberts and seek to licence one large event (Flavourology) at the premises which will for 1298 persons. An event for 500+ people should be applied for using a time limited licence.
17. EPT state that after numerous instances of multiple TENs being used to licence larger events in Southwark over the past few years, draft amendments to Southwark's licensing policy have been proposed to address this. EPT make reference to Southwark's amended licensing policy's paragraphs 69, 70, 71, 72 and 73 which is relevant to the objection they have raised.
18. On 16 August 2018 the Metropolitan Police Service served an objection notice in respect of the TENs submitted by the applicant. The Metropolitan police stated that they are of the opinion that this application should have been dealt with by way of a time limited premises licence application.
19. The Metropolitan police objection states that a time limited premises licence application would allow for a full consultation and the ability to comment on and attach the appropriate control measures for an event attracting 1,298 people.
20. The Metropolitan police raised the request made by the applicant for the use of glassware during the event which is a specific condition placed on their premises licence banning the use of glassware following a murder inside the venue during a corporate event some years ago.
21. The Metropolitan police objected states that the use of the TENs would in effect allow the event to operate without any control measures in place.
22. The Metropolitan police objects to the TENs on the grounds that it would undermine the prevention of crime and disorder licensing objective.

23. A copy of the EPT objection notice and the Metropolitan police service notice is attached to this report as Appendix B and Appendix C.

TENs History

24. A copy of the TENs history for Pulse Club is attached to this report as Appendix D.

Premises history

25. The premises operate as a night club.
26. A premises licence was granted to A&M Leisure Limited on 11 August 2008. This licence is attached as Appendix E.
27. On the 11 August 2011 A&M Leisure Limited made an application for a minor variation to remove existing conditions and add new conditions to their premises licence. Moreover, the application sought to change current approved plans with new plans submitted in support with their application. A partial copy of the plan is attached as Appendix F.
28. On the 10 May 2012 the Licensing Authority received an application for a minor variation from A&M Leisure Limited following a serious incident that occurred at Pulse club on the 4 April 2012. This application was submitted following a serious incident involving the murder of a man attending a corporate event at the premises where the weapon used was a glass bottle. The conditions proposed by the applicant in consultation with the police included the condition 344. A copy of the minor variation application is attached as Appendix G.
29. The most recent change to the Designated Premises Supervisor (DPS) was made on 24 July 2018.

Licensing visit history

30. A visit was carried out by a health and safety enforcement officer and a police constable on 10 September 2016 for a joint inspection on the premises, there were no reported issues in regards to compliance and operation of the premises.

The local area.

31. A map showing the location of the premises is attached to this report as Appendix H. The premises is identified at the centre of the circle on the map.

Policy considerations

32. Section 4 of the Southwark statement of licensing policy on “administration, exercise and delegation of function” deals with the parameters under which TENs may be considered.

Consideration by the sub-committee

33. The sub-committee is asked to consider whether then issue of a counter notice is necessary for the promotion of the prevention of public nuisance and protection of public safety licensing objectives.

Community impact statement

34. Members are advised that under the Act, the matters to which consideration may be given in this instance are the crime and disorder and public nuisance objectives.
35. In considering the TENs in terms of community impact the sub-committee must restrict its considerations to this matter.

Resource implications

36. A fee of £21.00 has been paid by the applicant in respect of the TEN, this being the statutory fee payable.

Consultation

37. The Act provides for no consultations to take place other than the process outlined in this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

38. The sub-committee is asked to determine the notification of this temporary event under Section 105 of the Licensing Act 2003 and to consider whether or not counter notice should be issued in the circumstance. It must only issue a counter notice if they believe the event would undermine the crime prevention objective set out in the Act.
39. The principles which sub-committee members must apply are set out below.

Principles for making the determination

40. The general principle is that temporary event notices must be accepted unless a relevant objection is received from the police. This is subject to the proviso that the premises user has complied with regulations and submitted the notice within a prescribed time.
41. A relevant objection is that which:
- Is about the likely effect of the TEN on the promotion of the crime prevention of the licensing objectives
 - Is made by the metropolitan police
 - Has not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

42. If a relevant objection notice is received then the sub-committee must have regard to it in determining whether it is necessary for the promotion of the prevention of crime prevention and the prevention of public nuisance licensing objectives of the Licensing Act to:
- Issue a counter notice by adding to, omit, and/or alter the conditions of the licence or
 - Reject the whole or part of the application for TEN.
43. The Revised Guidance issued under section 182 of the Licensing Act 2003 issued in April 2018 under Large scale time-limited events requiring premises licences, in section 5.25 states:
- 5.25 Licensing authorities should note that a premises licence may be sought for a short, discrete period. The 2003 Act provides that a temporary event notice is subject to various limitations (see Chapter 7 of this Guidance). The temporary provision of licensable activities that fall outside these limits will require the authority of a premises licence if the premises are currently unlicensed for the activities involved.
44. The explanatory notes that accompany the Licensing Act 2003 states in section 101 regarding a minimum of 24 hours between event periods in section 171 of the act:
- That there must be a minimum period of 24 hours between temporary events held on the same premises by a premises user, or held by that user and another person who is related to, associated with or in business with that user. This prevents a premises user holding numerous consecutive temporary events as a means of avoiding an application for a premises licence. If a temporary event takes place on premises that are included within or include other premises where another temporary event takes place, then the two events are deemed to take place on the same premises.

Conditions

45. The sub-committee may only attach conditions on the carrying on of permitted licensable activities on TENs where they premises is already in subject to a premises licence and the conditions are carried over from that premises licence. The sub-committee's function is to determine whether a counter notice should be issued

Reasons

46. The sub-committee must give reasons for its decision to issue or not to issue a counter notice.

Hearing procedures

47. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:

- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the objection.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their submission.
 - The committee shall disregard any information given by a party which is not relevant:
 - To the particular submission before the committee
 - To the licensing objectives prevention of crime and disorder.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering the objection and notice the authority may take into account documentary or other information produced by a party in support of their objection or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
48. This matter relates to the determination of a notification for a temporary event notice under section 105 of the Licensing Act 2003. Regulation 26(1) requires the sub-committee to make its determination at the conclusion of the hearing.
49. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
50. As a quasi-judicial body the licensing sub-committee is required to consider the temporary event notice on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of the police objection.

51. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
52. Under the Human Rights Act 1998, the sub committee needs to consider the balance between the rights of the applicant and those making the objection to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
53. Where the relevant counter notice under section 105(3) is given the premises user may appeal against that decision. Where a counter notice is not given, the chief officer of police may appeal against that decision. The appeal must be made to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against. No appeal may be brought later than five working days before the day on which the event begins.

Guidance

54. Members are required to have regard to the Home Office revised guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance and Governance

55. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

REASONS FOR URGENCY

56. The TENs process is time limited, and due to legislative time constraints it would not be possible to wait for a further meeting to be held to consider this report.

REASONS FOR LATENESS

57. Due to the time limited nature of TENs there was not sufficient time to prepare and clear the report in time for the main agenda dispatch.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office revised guidance Secondary Regulations Statement of Licensing Policy Various papers from the premises file.	Licensing Unit Hub 2 Third Floor 160 Tooley Street SE1 2TZ	Kirty Read (020 7525 5748)

APPENDICES

No.	Title
Appendix A	The temporary event notices
Appendix B	Environmental Protection Team objection
Appendix C	Metropolitan Police Service objection
Appendix D	Copy of temporary event notices history
Appendix E	Pulse premises licence
Appendix F	Copy of partial plans of the premises
Appendix G	Minor variation application
Appendix H	Map of the area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Social Regeneration		
Report Author	Justin Williams, Licensing Enforcement Officer		
Version	Final		
Dated	17 August 2018		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS/DIRECTORATES/CABINET MEMBER			
Officer Title		Comments sought	Comments included
Director of Law and Democracy		Yes	Yes
Strategic Director of Finance and Governance		Yes	Yes
Cabinet Member		No	No
Date final report sent to Constitutional Team			20 August 2018

12/08/2018

Business - Temporary events notices

Ref No. 1073058

TEMPORARY EVENT NOTICE 1

Before completing this notice, please read the guidance notes. You should keep a copy of the completed application for your records. After completing the form, it will automatically be forwarded to police and environmental health. If there is any representation then we will inform you of the outcome within the 3 day consultation period. You can view this information on our website.

The premises user must ensure either:

- 1) that a copy of the temporary event notice is prominently displayed at the premises, or
 - 2) that the temporary event notice is kept at the premises in the premises users' custody or in the custody of a person who is present and working at the premises you have nominated and, where the temporary event notice is in the custody of a person so nominated, ensure that a notice specifying the notice is held by a nominated person and the position held at the premises by that person is prominently displayed at the premises.
- A constable or authorised officer may require the premises user, or nominated person, to produce the temporary event notice for examination.

The premises user commits an offence if he fails, without reasonable excuse, to comply with any of the above instructions.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. Your name

Title	Mr
If other, Please state	
Surname	Roberts
First name(s)	Gareth

2. Previous names (Please enter details of any previous names or maiden names)

Title	
If other, Please state	
Surname	Roberts
First name(s)	Gareth

3. Your date of birth

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4. Your place of birth

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5. National Insurance Number

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6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box on the next page)

Address Line 1	
Address Line 2	
Town	
County	
Post code	

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user. If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

7. Other contact details

Daytime	
Evening (optional)	
Mobile (optional)	
Email	

8. Alternative address for correspondence

Address Line 1	
Address Line 2	
Town	
County	
Post code	

9. Alternative contact details (if applicable)

Daytime	
Evening (optional)	
Mobile (optional)	
Email	

Please do not apply to us if your premises is not in Southwark. See link find local council

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)

Address Line 1	
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Address Line 2	
Town	
County	
Post code	

Ordnance Survey grid reference

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If there is no recognised postcode, please enter the address for the premises

Address Line 1	1-4 Invicta Plaza
Address Line 2	
Town	Southwark
County	

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

	Use of Areas 1 & 2 to allow the use of glassware for corporate event - immersive event with different areas sectioned off and capacity controlled
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Please describe the nature of the premises below. (Please read note 4) *

	Licensed Venue
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Please describe the nature of the event below. (Please read note 5)

	Corporate event For Flavourology Up to 499 persons in Areas 1 & 2
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If the event is situated in a park or in part of a larger premises, please upload the site location plans. Other documents such as risk assessments can also be uploaded here

Document 1	
Document 2	
Document 3	

Document 4	
Document 5	

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Please state the licensable activities that you intend to carry on at the premises (please tick next to the licensable activities you intend to carry on). (Please read note 6)

	<input type="checkbox"/> The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club <input type="checkbox"/> The provision of regulated entertainment (Please read note 7) <input type="checkbox"/> The provision of late night refreshment
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Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)

	From 09:00 on 6th September 2018 until 05:00 on 7th September 2018
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Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock e.g. 23:00). (Please read note 10)

	Use of glassware from 14:00-02:00
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Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)

	499
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If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)

	On the premises only
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Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Note 7

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance

from a person who is responsible for the premises.

o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

• Recorded Music: no licence permission is required for:

o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

• Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;

o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 8

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 5 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 9

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 10

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 11

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 12

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Do you currently hold a valid personal licence?

	Yes
--	-----

If "Yes", please provide the details of your personal licence below.

Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

Note 14

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

	No
--	----

If answering yes, please state the number of temporary event notices (including the number of late temporary events notices, if any) you have given for events in that same calendar year

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Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hrs or less before; or b) begins 24 hrs or less after the event period proposed in this notice?

a) ends 24 hrs or less before	No
b) begins 24 hrs or less after	No

Note 15

As stated under Note 14, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 5 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year. If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 16 below sets out the definition of an “associate”.

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	Yes
--	-----

If answering yes, please state the total number of temporary event notices (including the number of late temporary events notices, if any) your associate(s) have given for events in the same calendar year

	1
--	---

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	No
--	----

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

--	--

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Note 16

An “associate” of the proposed premises user is:

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

I shall

Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (not including the date that the form is submitted and the date of the Event) (or five working days for a late notice) (not including the date that the form is submitted and the date of the Event)before the commencement of the proposed licensable activities.

The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary.

Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

I agree to the above statement

	I agree
PaymentDescription	████
PaymentAmountInMinorUnits	████
AuthCode	██████
LicenceReference	██████████
PaymentContactEmail	██████████████

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use

of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

12/08/2018

Business - Temporary events notices

Ref No. 1073059

TEMPORARY EVENT NOTICE 2

Before completing this notice, please read the guidance notes. You should keep a copy of the completed application for your records. After completing the form, it will automatically be forwarded to police and environmental health. If there is any representation then we will inform you of the outcome within the 3 day consultation period. You can view this information on our website.

The premises user must ensure either:

- 1) that a copy of the temporary event notice is prominently displayed at the premises, or
 - 2) that the temporary event notice is kept at the premises in the premises users' custody or in the custody of a person who is present and working at the premises you have nominated and, where the temporary event notice is in the custody of a person so nominated, ensure that a notice specifying the notice is held by a nominated person and the position held at the premises by that person is prominently displayed at the premises.
- A constable or authorised officer may require the premises user, or nominated person, to produce the temporary event notice for examination.

The premises user commits an offence if he fails, without reasonable excuse, to comply with any of the above instructions.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. Your name

Title	Mr
If other, Please state	
Surname	Roberts
First name(s)	Gareth

2. Previous names (Please enter details of any previous names or maiden names)

Title	
If other, Please state	
Surname	
First name(s)	

3. Your date of birth

--	--

4. Your place of birth

--	--

5. National Insurance Number

--	--

TEMPORARY EVENT NOTICE 2

6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box on the next page)

Address Line 1	
Address Line 2	
Town	
County	
Post code	

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

7. Other contact details

Daytime	
Evening (optional)	
Mobile (optional)	
Email	

8. Alternative address for correspondence

Address Line 1	
Address Line 2	
Town	
County	
Post code	

9. Alternative contact details (if applicable)

Daytime	
Evening (optional)	
Mobile (optional)	
Email	

Please do not apply to us if your premises is not in Southwark. See link find local council

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)

Address Line 1	
----------------	--

TEMPORARY EVENT NOTICE 2

Address Line 2	
Town	
County	
Post code	

Ordnance Survey grid reference

--	--

If there is no recognised postcode, please enter the address for the premises

Address Line 1	5 Invicta Plaza
Address Line 2	
Town	Southwark
County	

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

	Arch 5 - space adjacent to Pulse To allow sound & glassware use - immersive event - with different areas sectioned off and capacity controlled
--	---

Please describe the nature of the premises below. (Please read note 4) *

	Unlicensed Arch attached to licensed venue
--	--

Please describe the nature of the event below. (Please read note 5)

	Corporate event for flavourology to allow up to 300 persons in Arch 5 To allow sound & glassware use - immersive event - with different areas sectioned off and capacity controlled
--	--

If the event is situated in a park or in part of a larger premises, please upload the site location plans. Other documents such as risk assessments can also be uploaded here

Document 1	
------------	--

TEMPORARY EVENT NOTICE 2

Document 2	
Document 3	
Document 4	
Document 5	

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Please state the licensable activities that you intend to carry on at the premises (please tick next to the licensable activities you intend to carry on). (Please read note 6)

	<input type="checkbox"/> The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club <input type="checkbox"/> The provision of regulated entertainment (Please read note 7) <input type="checkbox"/> The provision of late night refreshment
--	---

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)

	From 09:00 on 6th September 2018 until 05:00 on 7th September 2018
--	--

TEMPORARY EVENT NOTICE 2

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock e.g. 23:00). (Please read note 10)

	Use of glassware and sound equipment use from 18:00-02:00
--	---

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)

	300
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If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)

	On the premises only
--	----------------------

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Note 7

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports –defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance

TEMPORARY EVENT NOTICE 2

from a person who is responsible for the premises.

o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

• Recorded Music: no licence permission is required for:

o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

• Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;

o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 8

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 5 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 9

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 10

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 11

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 12

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

TEMPORARY EVENT NOTICE 2

Do you currently hold a valid personal licence?

	Yes
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If "Yes", please provide the details of your personal licence below.

Issuing licensing authority	██████
Licence number	██████████
Date of issue	██████
Any further relevant details	

Note 14

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

	No
--	----

If answering yes, please state the number of temporary event notices (including the number of late temporary events notices, if any) you have given for events in that same calendar year

--	--

Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hrs or less before; or b) begins 24 hrs or less after the event period proposed in this notice?

a) ends 24 hrs or less before	No
b) begins 24 hrs or less after	No

Note 15

As stated under Note 14, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 5 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year. If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

TEMPORARY EVENT NOTICE 2

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 16 below sets out the definition of an “associate”.

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	Yes
--	-----

If answering yes, please state the total number of temporary event notices (including the number of late temporary events notices, if any) your associate(s) have given for events in the same calendar year

	2
--	---

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	No
--	----

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

--	--

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Note 16

An “associate” of the proposed premises user is:

TEMPORARY EVENT NOTICE 2

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

I shall

--	--

Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (not including the date that the form is submitted and the date of the Event) (or five working days for a late notice) (not including the date that the form is submitted and the date of the Event) before the commencement of the proposed licensable activities.

The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary.

Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

I agree to the above statement

	I agree
PaymentDescription	<input type="checkbox"/>
PaymentAmountInMinorUnits	<input type="checkbox"/>
AuthCode	<input type="checkbox"/>
LicenceReference	<input type="checkbox"/>
PaymentContactEmail	<input type="checkbox"/>

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use

TEMPORARY EVENT NOTICE 2

of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

12/08/2018

Business - Temporary events notices

Ref No. 1073060

TEMPORARY EVENT NOTICE 3

Before completing this notice, please read the guidance notes. You should keep a copy of the completed application for your records. After completing the form, it will automatically be forwarded to police and environmental health. If there is any representation then we will inform you of the outcome within the 3 day consultation period. You can view this information on our website.

The premises user must ensure either:

- 1) that a copy of the temporary event notice is prominently displayed at the premises, or
 - 2) that the temporary event notice is kept at the premises in the premises users' custody or in the custody of a person who is present and working at the premises you have nominated and, where the temporary event notice is in the custody of a person so nominated, ensure that a notice specifying the notice is held by a nominated person and the position held at the premises by that person is prominently displayed at the premises.
- A constable or authorised officer may require the premises user, or nominated person, to produce the temporary event notice for examination.

The premises user commits an offence if he fails, without reasonable excuse, to comply with any of the above instructions.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. Your name

Title	Mr
If other, Please state	
Surname	Roberts
First name(s)	Gareth

2. Previous names (Please enter details of any previous names or maiden names)

Title	
If other, Please state	
Surname	Roberts
First name(s)	Gareth

3. Your date of birth

--	--

4. Your place of birth

--	--

5. National Insurance Number

--	--

TEMPORARY EVENT NOTICE 3

6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box on the next page)

Address Line 1	
Address Line 2	
Town	
County	
Post code	

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

7. Other contact details

Daytime	
Evening (optional)	
Mobile (optional)	
Email	

8. Alternative address for correspondence

Address Line 1	
Address Line 2	
Town	
County	
Post code	

9. Alternative contact details (if applicable)

Daytime	
Evening (optional)	
Mobile (optional)	
Email	

Please do not apply to us if your premises is not in Southwark. See link find local council

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)

Address Line 1	
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TEMPORARY EVENT NOTICE 3

Address Line 2	
Town	
County	
Post code	

Ordnance Survey grid reference

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If there is no recognised postcode, please enter the address for the premises

Address Line 1	1-4 Invicta Plaza
Address Line 2	
Town	Southwark
County	

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

	Use of Areas 3-5 to allow glassware for corporate event - immersive event with different areas sectioned off and capacity controlled
--	--

Please describe the nature of the premises below. (Please read note 4) *

	Licensed Venue
--	----------------

Please describe the nature of the event below. (Please read note 5)

	Corporate event for Flavourlogy up to 499 pers in Areas 3-5
--	---

If the event is situated in a park or in part of a larger premises, please upload the site location plans. Other documents such as risk assessments can also be uploaded here

Document 1	
Document 2	
Document 3	

TEMPORARY EVENT NOTICE 3

Document 4	
Document 5	

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Please state the licensable activities that you intend to carry on at the premises (please tick next to the licensable activities you intend to carry on). (Please read note 6)

	<input type="checkbox"/> The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club <input type="checkbox"/> The provision of regulated entertainment (Please read note 7) <input type="checkbox"/> The provision of late night refreshment
--	---

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)

	Frp, 09:00 on 6th September 2018 until 05:00 on 7th September 2018
--	--

TEMPORARY EVENT NOTICE 3

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock e.g. 23:00). (Please read note 10)

	Use of glassware from 18:00-02:00
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Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)

	499
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If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)

	On the premises only
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Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Note 7

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance

TEMPORARY EVENT NOTICE 3

from a person who is responsible for the premises.

o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

• Recorded Music: no licence permission is required for:

o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

• Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;

o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 8

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 5 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 9

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 10

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 11

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 12

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

TEMPORARY EVENT NOTICE 3

Do you currently hold a valid personal licence?

	Yes
--	-----

If "Yes", please provide the details of your personal licence below.

Issuing licensing authority	
Licence number	
Date of issue	
Any further relevant details	

Note 14

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

	No
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If answering yes, please state the number of temporary event notices (including the number of late temporary events notices, if any) you have given for events in that same calendar year

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Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hrs or less before; or b) begins 24 hrs or less after the event period proposed in this notice?

a) ends 24 hrs or less before	No
b) begins 24 hrs or less after	No

Note 15

As stated under Note 14, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 5 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year. If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

TEMPORARY EVENT NOTICE 3

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 16 below sets out the definition of an “associate”.

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	Yes
--	-----

If answering yes, please state the total number of temporary event notices (including the number of late temporary events notices, if any) your associate(s) have given for events in the same calendar year

	1
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Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	No
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If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

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Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Note 16

An “associate” of the proposed premises user is:

TEMPORARY EVENT NOTICE 3

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

I shall

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Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (not including the date that the form is submitted and the date of the Event) (or five working days for a late notice) (not including the date that the form is submitted and the date of the Event) before the commencement of the proposed licensable activities.

The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary.

Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

I agree to the above statement

	I agree
PaymentDescription	<input type="checkbox"/>
PaymentAmountInMinorUnits	<input type="checkbox"/>
AuthCode	<input type="checkbox"/>
LicenceReference	<input type="checkbox"/>
PaymentContactEmail	<input type="checkbox"/>

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use

TEMPORARY EVENT NOTICE 3

of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

From: Prickett, Mark
Sent: Monday, August 13, 2018 4:12 PM
To: Regen, Licensing
Cc: [REDACTED]; Mills, Dorcas; 'SouthwarkLicensing@met.pnn.police.uk'
Subject: EPT objection - x3 TEN applications Pulse Nightclub

Dear Licensing,

Southwark's Environmental Protection Team have reviewed the x3 TENs for Pulse Nightclub, 1-4 Invicta Plaza, SE1.

The TENs seek the supply of alcohol, provision of regulated entertainment and late night refreshment between 09:00 on Thursday 6th September through to 05:00 the following morning on Friday 7th September 2018.

1. TEN application attached - 1073058.pdf

"Use of Areas 1 & 2 to allow the use of glassware for corporate event - immersive event with different areas sectioned off and capacity controlled". "Corporate event For Flavourology Up to 499 persons in Areas 1 & 2".

2. TEN application attached - 1073059.pdf

"Arch 5 - space adjacent to Pulse To allow sound & glassware use - immersive event - with different areas sectioned off and capacity controlled". "Unlicensed Arch attached to licensed venue". "Corporate event for flavourology to allow up to 300 persons in Arch 5 To allow sound & glassware use - immersive event - with different areas sectioned off and capacity controlled".

3. TEN application attached - 1073060.pdf

"Use of Areas 3-5 to allow glassware for corporate event - immersive event with different areas sectioned off and capacity controlled". "Corporate event for Flavourlogy up to 499 pers in Areas 3-5".

The x3 TEN applications are all applied for by Mr Gareth Roberts and seek to licence 1 large event (Flavourology) at the premises which will be for 1298 persons. An event for 500+ people should be applied for using a time limited premises licence

After numerous instances of multiple TENs being used to licence larger events in Southwark over the past few years, draft amendments to Southwark's Licensing Policy have been proposed to address this. The draft amendments can be found through the following link and the relevant paragraphs are as follows:

<https://www.southwark.gov.uk/business/licences/licensing-and-gambling-act-policy>

Multiple TENs for a single event

69. Section 171 of the explanatory notes to the Licensing Act 2003 with regards to Section 101 of the Act, "Minimum of 24 hours between event periods", states that:

"This section provides that there must be a minimum period of 24 hours between temporary events held on the same premises by a premises user, or held by that user and another person who is related to, associated with or in business with that user. This prevents a premises user holding numerous consecutive temporary events as a means of avoiding an application for a premises licence. If a temporary event takes place on premises that are included within or include other premises where another temporary event takes place, then the two events are deemed to take place on the same premises."

70. In addition to section 101 of the Licensing Act 2003, the Licensing Authority considers that the use of more than one TEN within the same or adjacent premises at similar times to allow an event of over 499 persons attending at any one time is likely to give rise to the an increase in public nuisance and crime and disorder. Additionally the increased number of patrons over 499 persons gives a greater concern on the impact of the event on public safety and the prevention of harm to children.

71. Organisers of events whereby patrons will exceed 499 must not use the "light touch" approach with multiple TENS. Such events should be licensed by application for a time-limited premises licence. This will allow for full consultation of the proposal and the measures to promote the licensing objectives and allows greater opportunities to grant the application with appropriate conditions to promote the licensing objectives.

72. Therefore multiple TENS that receive objections from a relevant person will be considered by the Licensing Sub-Committee with the rebuttable position that only one TEN will be granted.

73. Premises users for multiple TENS will be given opportunity to provide evidence that the separate TENS are not related to a single event and that their grant will not have an adverse affect on the licensing objectives. This will be balanced against evidence provided by the Police and/or Environmental Health Officers.

EPT therefore **raise objection** to the x3 TEN applications for Pulse Nightclub as the applicant seeks to licence 1 large event for 1298 people. There is concern that such a large event running throughout the night, without full consultation that would be required through a time limited premises licence application, could lead to public nuisance.

Kind regards,

Mark Prickett
Principal Enforcement Officer
 Environmental Protection Team
 Tel: 020 7525 0023



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/3191/18
Date: 16/08/2018

Dear Sir/Madam

Re:- Pulse 1-4 Invicta Plaza

Police are in receipt of three separate temporary event notices for the above single premises as detailed below.

The TENs seek the supply of alcohol, provision of regulated entertainment and late night refreshment between 09:00 on Thursday 6th September through to 05:00 the following morning on Friday 7th September 2018.

1. TEN application attached - 1073058.pdf

"Use of Areas 1 & 2 to allow the use of glassware for corporate event - immersive event with different areas sectioned off and capacity controlled". "Corporate event For Flavourology Up to 499 persons in Areas 1 & 2".

2. TEN application attached - 1073059.pdf

"Arch 5 - space adjacent to Pulse To allow sound & glassware use - immersive event - with different areas sectioned off and capacity controlled". "Unlicensed Arch attached to licensed venue".

"Corporate event for flavourology to allow up to 300 persons in Arch 5 To allow sound & glassware use - immersive event - with different areas sectioned off and capacity controlled".

3. TEN application attached - 1073060.pdf

"Use of Areas 3-5 to allow glassware for corporate event - immersive event with different areas sectioned off and capacity controlled". "Corporate event for Flavourlogy up to 499 pers in Areas 3-5".

It is obvious from the notices that this is one large cooperate event known as Flavorology and if granted will allow for a total of 1298 persons in one venue for a single event.

Police are of the opinion that this event should have been dealt with by way of a time limited premises licence application, allowing for a full consultation and the ability to comment on and attach the appropriate control measures for an event attracting 1298 persons.

Of particular note is the request for the use of glassware during this event. A specific condition banning the use of glassware was placed on the premises licence following a murder inside the venue during a corporate event some years ago.

The use of the TENs would in effect allow the event to operate without any control measures in place.

Police object to this TEN on the grounds that it would be undermining the prevention of crime and disorder licensing objective, request that counter notices be issued for the applications.

Yours Sincerely

Ian Clements PC 362MD
Police Licensing Officer 193760

refno	name	uwstr1	start_date	end_date	times	max no people	sale of alcohol	for consumption	reg. ent	LNR	late_ten	police obj	ept obj
849858	Pulse	Area 4 of the plans provided	05/11/2015	05/11/2015	19:00-00:00	499	Yes	Both	Yes	Yes	No	No	No
849863	Pulse	Area 5 of the plans provided	05/11/2015	05/11/2015	19:00-00:00	499	Yes	Both	Yes	Yes	No	No	No
849864	Pulse	Area 4 & 5 of the plans provided	12/11/2015	12/11/2015	12:00-16:00	499	Yes	Both	Yes	Yes	No	No	No
849865	Pulse	Area 4 & 5 of the plans provided	19/11/2015	20/11/2015	20:00 - 01:00	499	Yes	Both	Yes	Yes	No	No	No
849960	Pulse	Area 1 & 2	19/11/2015	20/11/2015	20:00 - 01:00	499	Yes	Both	Yes	Yes	No	No	No
850594	Pulse	Area 1 & 2	11/12/2015	12/12/2015	18:00 11/12/2015 - 03:00 12/12/2015	499	Yes	On Premises	Yes	Yes	Yes	No	No
851224	Pulse	Whole Premises	11/02/2016	11/02/2016	09:00-23:30	200	Yes	Both	Yes	Yes	Yes	No	No
851429	Pulse	Whole Premises	03/03/2016	04/03/2016	13:00 - 01:00	300	Yes	Both	Yes	Yes	Yes	No	No
851714	Pulse	Area 6 as detailed on map	28/05/2016	29/05/2016	22:00 - 05:00	499	No	None	Yes	Yes	No	No	No
851715	Pulse	Area 6 as detailed on map	24/09/2016	25/09/2016	22:00 - 05:00	499	No	None	Yes	Yes	No	No	No
857271	Pulse	Area 6 as detailed on map	31/12/2016	01/01/2017	22:00 - 06:00	499	Yes	On Premises	No	Yes	Yes	No	No
857930	Pulse	Area 6	09/03/2017	12/03/2017	9/3/17 = 16:00 - 23:00 & 11.3.2017 22.00 to-12/3/17 = 05:00	499	Yes	On Premises	Yes	Yes	Yes	No	No
858340	Pulse	Area 6	13/04/2017	16/04/2017	23:00 - 05:00 Ending 05:00 16/04/2017	499	Yes	On Premises	Yes	Yes	Yes	No	No
858606	Pulse	Whole Premises	16/05/2017	18/05/2017	16/05/2017 15:30 - 23:30 & 18/05/2017 18:00 - 00:00	499	Yes	On Premises	Yes	Yes	Yes	No	No
858681	Pulse	Whole Premises	18/05/2017	19/05/2017	18:00 - 00:00	499	Yes	On Premises	No	No	Yes	No	No
858738	Pulse	Whole Premises (Unlicensed arch attached to Pulse)	27/05/2017	28/05/2017	09:00 02:00	499	Yes	On Premises	Yes	Yes	No	No	No
860207	Pulse	Area 1	04/09/2017	05/09/2017	22:00 - 02:00	499	Yes	On Premises	Yes	No	Yes	No	No
860209	Pulse	Area 2	04/09/2017	05/09/2017	18:00 - 02:00	499	Yes	On Premises	No	No	Yes	No	No
860210	Pulse	Area 4	04/09/2017	05/09/2017	18:00 - 02:00	499	Yes	On Premises	No	No	Yes	No	No
860212	Pulse	Area 5	04/09/2017	05/09/2017	18:00 - 02:00	499	Yes	On Premises	No	No	Yes	No	No
860213	Pulse	Area 6	04/09/2017	05/09/2017	18:00 - 02:00	499	Yes	On Premises	No	No	Yes	No	No
860248	Pulse	Area 1 and 2,	18/09/2017	19/09/2017	19:00-00:00	499	Yes	On Premises	Yes	No	Yes	No	No
860314	Pulse	Area 1 and 2,	18/09/2017	19/09/2017	19:00-00:00	499	Yes	On Premises	Yes	No	Yes	No	No

860422	Pulse	Unlicensed arch attached to licensed premises, Pulse.	30/09/2017	01/10/2017	22:00hours-05:00hours	499	Yes	On Premises	Yes	Yes	Yes	No	No
860720	Pulse	Unlicensed arch attached to licensed premises, Pulse.	01/11/2017	01/11/2017	18:00hours to 00:00hours	499	Yes	On Premises	No	No	No	No	No
861203	Pulse	Unlicensed arch attached to licensed premises, Pulse.	07/12/2017	09/12/2017	18:00 07/12/2017 - 06:00 09/12/2017	499	Yes	On Premises	Yes	No	Yes	No	No
861206	Pulse	Areas 4 & 5	14/12/2017	16/12/2017	18:00 14/12/2017 - 06:00 16/12/2017	499	Yes	On Premises	Yes	No	No	No	No
862493	Pulse	areas 4 and 5	14/03/2018	14/03/2018	11:00 - 23:00	300	Yes	On Premises	No	No	Yes	No	No
863101	Pulse	areas 4 and 5	26/05/2018	28/05/2018	26-28 (22:00-06:00)	399	Yes	On Premises	Yes	Yes	No	No	No
863759	Pulse	Licensed Venue Required use of glass	04/07/2018	04/07/2018	17:00 - 23:50	499	Yes	On Premises	No	No	No	No	No
864142	Pulse	Licensed Venue Requires use of glass	06/09/2018	07/09/2018	09:00 pm --05:00 am	499	No	On Premises	No	Yes	No	No	No
864354	Pulse	Licensed Venue Requires use of glass	06/09/2018	07/09/2018	09:00 pm --05:00 am (use of glassware 14:00-02:00)	399	No	On Premises	Yes	Yes	No	No	No
864420	Invicta Plaza,	Use of Areas 3-5 to allow glassware for corporate event	06/09/2018	07/09/2018	18:00 - 02:00	499	No	On Premises	Yes	Yes	No	No	Yes
864424	Invicta Plaza	Use of Areas 3-5 to allow glassware for corporate event	06/09/2018	07/09/2018	18:00 - 02:00	300	No	On Premises	Yes	Yes	No	No	Yes
864429	Invicta Plaza	Use of Areas 1 & 2 to allow glassware for corporate event	06/09/2018	07/09/2018	09:00-05:00	499	No	On Premises	Yes	Yes	No	No	Yes

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

864131

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Pulse 1-4 Blackfriars Arches Invicta Plaza London SE1 9UF Ordnance survey map reference (if applicable), 180350531717	
Post town London	Post code SE1 9UF
Telephone number	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Plays - Indoors Films - Indoors Indoor Sporting Event Boxing or Wrestling - Indoors Live Music - Indoors Recorded Music - Indoors Performance of Dance - Indoors Entertainment Similar to live/recorded music - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 00:00 - 00:00
Tuesday 00:00 - 00:00
Wednesday 00:00 - 00:00
Thursday 00:00 - 00:00
Friday 00:00 - 00:00
Saturday 00:00 - 00:00
Sunday 00:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Plays - Indoors

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Films - Indoors

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Indoor Sporting Event

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Boxing or Wrestling - Indoors

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Live Music - Indoors

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Recorded Music - Indoors

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Performance of Dance - Indoors

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Entertainment Similar to live/recorded music - Indoors

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Late Night Refreshment - Indoors

Monday	23:00 - 05:00
Tuesday	23:00 - 05:00
Wednesday	23:00 - 05:00
Thursday	23:00 - 05:00
Friday	23:00 - 05:00
Saturday	23:00 - 05:00
Sunday	23:00 - 05:00

Sale by retail of alcohol to be consumed on premises

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Sale by retail of alcohol to be consumed off premises

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Registered number of holder, for example company number, charity number (where applicable)

06975509

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No

Licence Issue date 24/07/2018



Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

102 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

107 Any individual carrying out security activities at the premises must be.

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- (a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$,

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of

which there is in force a club premises certificate, any member or officer of the club present on the premises

in a capacity which enables the member or officer to prevent the supply in question; and

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

- 341** That a security log is maintained, detailing the hours of duty of all staff employed in security roles, this is to include SIA badge numbers
- 346** That signs shall be displayed in the entrance to the premises that state "Drug Free Zone" and "No Search, No Entry - Management Reserve the Right to Refuse Entry"
- 347** : The toilets will checked at least one per hour by staff who will be trained to look out for any suspicious events taking place. Records shall be kept and made available to authorised officers.
- 348** That all staff will be trained to look out for any signs of drug use or sale **349** That a drugs drop box, which must be secure and have a tamper proof entrance, shall be fixed to the wall in the foyer of all entrances to the premises. An agreement must be established with the local Police over the emptying and collection of any drugs deposited in the box.
- 350** That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs
- 355** That risk assessments (including a fire risk assessment) will be carried out and following such risk assessment an action plan will be prepared and any additional action required will be implemented. This will be reviewed annually
- 356** That all entrances are lobbied to prevent any noise escape in order to comply with noise management conditions. The entrances shall be operated by management staff to ensure that external and internal doors are not open simultaneously when amplified music is being performed.
- 359** That staff will be responsible for ensuring the exterior of the premises is kept clean and tidy and that no customers are loitering or causing a disturbance
- 360** That door supervisors will encourage patrons to arrive and leave quietly with due regard neighbours.
- 361** That all audio and musical equipment on the premises shall be played through the approved sound limiting /cut-out device in order to comply with noise management conditions.
- 362** That suitable notices shall be displayed requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents
- 367** That signs within the premises shall be erected directing patrons to the use of the services of the dedicated taxi company
- 368** That taxi drivers of the dedicated taxi company and local firms shall be instructed not to sound car horns to attract customer attention
- 369** That there shall be no movement of musical or amplification equipment from the premises between the hours of 12 midnight and 8am
- 373** That SIA registered door supervisors, both male and female (except for single sex events), shall be employed at all times (unless with prior consent from the Police, in which case the licensing service must be given written notification at least 14 days in advance) that the premises are in use under this licence and provided with hand held metal detection units in order to ensure that searches are carried out in respect of all admissions and re-admissions to the premises whether staff, members of the public or performers and

their assistants. Mechanical counting devices shall be used to ensure that the maximum accommodation limit of the premises is not exceeded

374 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing a clear facial image of all that enter the premises.

375 That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to officers of the Police and the Council

377 That a personal licence holder is on the premises and on duty at ALL times that intoxicating liquor is supplied

380 That completed Metropolitan Police risk assessment (Venue hire agreement form 696) shall be provided to the Police and Council's Licensing Service for all performers and promoters for all events a minimum of fourteen (14) days prior to the date of hire.

381 That an accurate record shall be kept of the number of persons admitted to each part of the premises, such records shall be retained for 6 months and made available to the responsible authorities

382 That there shall be a suitable number of adequately trained staff to prevent overcrowding in parts of the premises, keep exit routes clear and to ensure safe evacuation of people from the premises. In the event of an emergency such staff will have been issued with specific duties in the event of an emergency

383 That all staff shall have received training on the safe evacuation of the premises in the event of an emergency and such training shall be repeated at least annually. A record of the training provided shall be kept at the premises for at least 12 months and shall be made available to the Fire Service or Council upon request

384 That adequate arrangements will be made in the Fire Evacuation Plan to ensure the safe evacuation of any disabled persons in the event of an emergency

385 That all escape doors and escape routes will be checked before the premises open for trading to the public and records of the check shall be maintained

386 That all fire exit doors shall be available and shall be capable of opening without the use of any key, card, code or similar means

387 That fire doors will be self closing and shall not be held open other than by devices approved by the Fire Service

388 That edges to steps and stairways shall be maintained so as to be conspicuous

389 That notices detailing the action to be taken in the event of fire or other emergency will be prominently displayed in the premises

390 That fire alarm/fire evacuation/emergency lighting tests will be carried out at least monthly and a record maintained of those tests. Such records to be kept at the premises for at least 12 months and made available to the Fire Service and the Council

393 That the licensee shall make available and display externally and on premises run websites telephone number of the premises so they can be contacted immediately by neighbours disturbed by noise.

397 That the licensee shall instruct either SIA door supervisors or a staff member to inspect the neighbourhood at one hour intervals for any sound escape from the premises. Where sound from this premises is audible in the neighbourhood, the licensee shall take all reasonable steps to ensure that a noise nuisance will not be caused to local residents. Records shall be made available to authorised officers.

241 Overcrowding shall not be allowed on any part of the premises

174 Where free drinking water is provided for the public, it shall, except with the consent of the Council, only be provided in a supervised area.

398 Prior to any event, SIA doorstaff shall conduct a thorough search of the premises and equipment brought to into the premises by promoters for weapons and/or drugs.

4AA The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

399 a) The premises overall occupant capacity is set at 1591 plus staff as per Drawing titled 'Pulse nightclub, Invicta Plaza, Southwark' Drawing title: Capacities, Drawing no: b9-1007/31, Revision: A, Dated: 01/05/12 by Block 9 architects and the Technical Standard for places of entertainment Rev 2009. . To prevent localised overcrowding the occupant capacity for each area shall not exceed as follows:

AREA 1 Capacity

Dancefloor 104.2sqm @ 0.5/sqm = 208

Bar Queue 19.0sqm @ 0.3/sqm = 63

AREA 2 Capacity

Dancefloor 113sqm @ 0.5/sqm = 226

Bar Queue 19sqm @ 0.3/sqm = 63

AREA 3 Capacity

Persons in foyer 83

AREA 4 Capacity

Dancefloor 175.4 sqm @ 0.5p/sqm = 350

Bar Queue 27.0 sqm @ 0.3p/sqm = 90

AREA 5 Capacity

Dancefloor 196.3sqm @ 0.5p/sqm = 392

Raised stage area - 58sqm @ 0.5p/sqm = 116

b) A suitable and auditable occupant capacity monitoring method shall be established for each of the above stated area and the premises overall capacity.

c) Suitable sanitary accomodation shall be provided in accordance with Technical Standard for places of entertainment Rev 2009, Section G1: Sanitary accommodation, Table 24.

d) As a minimum, the premises shall operate and show overall compliance in accordance with the recommendations contained within the 'Technical Standard for places of entertainment Rev 2009'

400 All staff involved in the sale of alcohol shall be trained in the agecheck 'challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the police.

401 Agecheck or 'challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an agecheck 'challenge 25' policy applies a proof of age may be required.

342 That a written policy shall be implemented for dealing with drunk people. Staff shall be trained in all aspects of the Licensing Act in order to be able to recognise underage people as well as the early signs of drunkenness.

343 That all events held at the premises shall be staged under direct supervision of senior management including ALL bar areas. A bar supervisor shall be employed under the control of the premises licence holder at each bar.

344 The premises shall operate with polycarbonate glassware and all bottled products will be decanted. The only exception will be the provision of champagne by waiter / waitress service to patrons at the premises.

345 Door staff are to wear High Vis waistcoats whilst in the main areas of the venue. This will create customer awareness of security staff on the premises.

351 The emergency exit doors onto Invicta Plaza from Area 5 to be electronically linked to the amplification system sound limiter circuit to reduce sound if opened during performance of amplified music.

352 That a designated chill out area shall be established with access from each area when entertainment is being provided

354 . The heating, cooling and ventilation system provide for air changes (to be confirmed by H&S) and cooling in each area of the venue to meet the technical standards for entertainment and be certified and in operation by the CIBSE approved engineer.

357 That drinking water is available to customers of the premises in each arch area

358 The Lmax noise level from amplified music and speech shall be no greater than the existing L90 one metre from the facade of the nearest noise sensitive premises at octave bands between 38Hz and 19kHz.

363 Before 23:00hrs Monday to Sunday the noise climate of the surrounding area shall be protected such that that the Leq in any octave band between 63 and 500Hz as measured 1 metre from the facade of any noise sensitive property over any 5 minute period with music based entertainment taking place shall not increase by more than 3db as compared to the same measure from the same position and over a comparable period with no entertainment taking place.

364 After 23:00hrs Monday to Sunday the noise climate of the surrounding area shall be protected such that the Leq in any octave band between 63 and 500Hz as measured 1 metre from the facade of any noise sensitive property over 5 minute period with music based entertainment taking place shall not increase by more than 3dB as compared to the same measure from the same position and over a comparable period with no entertainment taking place.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No. 864131
Plan No. b9-1007 / 40 C
Plan Date 11/05/12

Southwark London Borough Council

Application for a minor variation to a premises licence or ~~club premises certificate~~ under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the Guidance Notes at the end of the form, especially Note 1. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and in black ink. Use additional sheets if necessary. Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

A & M Leisure Limited

(Insert name(s) of applicant)

being the premises licence holder(s) / ~~club holding a club premises certificate~~, apply to vary a premises licence under section 41A / ~~club premises certificate under section 86A~~ of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 – Premises details

Postal address of premises (or, if none, Ordnance Survey map reference, or description) Pulse 1-4 Blackfriars Arches	
Post town London	Post Code SE1 9UF

Telephone number at premises (if any)

Premises licence number/~~club premises certificate number~~

834962

Brief description of premises (Please see Guidance Note 2)

Nightclub in railway arches operating with a customer area on ground and mezzanine levels with toilets on the mezzanine level. An external customer area is on Invicta Plaza

Part 2 – Applicant Details

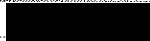
I am/ we are the premises licence holder/club premises certificate holder
 Contact phone number in working hours (if any)

Please tick



Applicant Postal Address IF DIFFERENT FROM PREMISES ADDRESS

Post town



Postcode



Please provide email address if you would prefer us to contact you by email (optional)

Part 3 – Proposed variation(s)

Do you want the proposed variation to have effect as soon as possible?

Please tick ✓ yes



Day Month Year

If not, from what date do you want the variation to take effect?

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

Details of proposed variations (Please see Guidance Note 3)

To redraft the operating schedule by way of removal, addition and amendment of conditions.

Conditions to be Removed

340, 342, 343, 344, 345, 351, 352, 353, 354, 357, 358, 363, 364, 365, 366, 370, 371, 372, 376, 378, 379, 391, 392, 394, 395

Conditions to be Added

1. Prior to any event, SIA doorstaff shall conduct a thorough search of the premises and equipment brought into the premises by promoters for weapons and/or drugs
2. The premises overall capacity is set at 1,591 attendees plus staff. The breakdown of each area is as follows:-
 - Area 1 – 271
 - Area 2 – 289
 - Area 3 – 83
 - Area 4 – 440
 - Area 5 – 508

Security staff shall ensure no localised overcrowding exceeding the permitted number in any area of the premises.

3. The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card
4. All staff involved in the sale of alcohol shall be trained in the agecheck 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police

5. Agecheck or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an agecheck 'Challenge 25' policy applies and proof of age may be required
6. That a written policy shall be implemented for dealing with drunk people. Staff shall be trained in all aspects of the Licensing Act in order to be able to recognise underage people as well as the early signs of drunkenness
7. That all events held at the premises shall be staged under direct supervision of senior management, including ALL bar areas. A bar supervisor shall be employed under the control of the premises licence holder at each bar
8. The premises will operate with polycarbonate glassware and all bottled products will be decanted. The only exception will be the provision of champagne by waiter/ waitress service to patrons at the premises.
9. Door staff are to wear High Vis waistcoats whilst in the main areas of the venue. This will create customer awareness of security staff on the premises.
10. The emergency exit doors onto Invicta Plaza from Area 5 to be electronically linked to the amplification system sound limiter circuit to reduce sound if opened during performance of amplified music
11. That a designated chill out area shall be established with access from each area when entertainment is being provided
12. The heating, cooling and ventilation system provide for air changes (to be confirmed by H&S) and cooling in each area of the venue to meet the technical standards for entertainment and be certified and in operation by the CIBSE approved engineer
13. That drinking water is available to customers of the premises in each arch area
14. The L_{max} noise level from amplified music and speech shall be no greater than the existing L_{90} one metre from the facade of the nearest noise sensitive premises at octave bands between 38Hz and 19kHz
15. Before 23.00hrs Monday to Sunday the noise climate of the surrounding area shall be protected such that the L_{eq} in any octave band between 63 and 500Hz as measured 1 metre from the facade of any noise sensitive property over any 5 minute period with music based entertainment taking place shall not increase by more than 5dB as compared to the same measure from the same position and over a comparable period with no entertainment taking place
16. After 23.00hrs Monday to Sunday the noise climate of the surrounding area shall be protected such that the L_{eq} in any octave band between 63 and 500Hz as measured 1 metre from the facade of any noise sensitive property over any 5 minute period with music based entertainment taking place shall not increase by more than 3dB as compared to the same measure from the same position and over a comparable period with no entertainment taking place

Conditions to be Amended

17. Condition 347 amended to read: *That the toilets will be checked at least once per hour by staff who will be trained to look out for any suspicious events taking place. Records shall be kept and made available to authorised officers*
18. Condition 349 amended to read: *That a drugs drop box, which must be secure and have a tamper proof entrance, shall be fixed to the wall in the foyer of all entrances to the premises. An agreement must be established with the local Police over the emptying and collection of any drugs deposited in the box*
19. Condition 356 amended to read: *That all entrances are lobbied to prevent any noise escape in order to comply with noise management conditions. The entrances shall be operated by management staff to ensure that external and internal doors are not open simultaneously when amplified music is being performed*
20. Condition 360 edited to read: *That door supervisors will encourage patrons to arrive and leave quietly with due regard for neighbours*
21. Condition 361 edited to read: *That all audio and musical equipment on the premises shall be played through the approved sound limiting/cut out device in order to comply with noise management conditions*
22. Condition 373 amended to read: *That SIA registered door supervisors, both male and female (except for single sex events), shall be employed at all times (unless with prior consent from the Police, in which case the licensing service must be given written*

notification at least 14 days in advance) that the premises are in use under this licence and provided with hand held metal detection units in order to ensure that searches are carried out in respect of all admissions and readmissions to the premises, whether staff, members of the public or performers and their assistants. Mechanical counting devices shall be used to ensure that the maximum accommodation limit of the premises is not exceeded.

23. Condition 380 amended to read: *That a completed Metropolitan Police risk assessment (venue hire agreement form 696) shall be provided to the Police and Council's Licensing Service for all performers and promoters for all events a minimum of fourteen (14) days prior to the date of hire*
24. Condition 393 amended to read: *That the licensee shall make available and display externally and on premises run websites the telephone number of the premises so that they can be contacted immediately by neighbours disturbed by noise*
25. Condition 397 amended to read: *That the licensee shall instruct either SIA door supervisors or a staff member to inspect the neighbourhood at one hour intervals for any sound escape from the premises. Where sound from the premises is audible in the neighbourhood, the licensee shall take all reasonable steps to ensure that a noise nuisance will not be caused to local residents. Records shall be made available to authorised officers*

Conditions to be retained from existing licence

26. A security log is maintained detailing the hours of duty of all staff employed in security roles and this is to include SIA badge members.
27. Notices shall be displayed at the entrances to the premises stating "Drug Free Zone" and "No Search, No Entry – Management reserve the Right to Refuse Entry".
28. All staff will be trained to look for signs of drug use or sale.
29. All matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the Handling of Drugs in Pubs and Clubs.
30. Risk assessments (including fire risk assessments) will be carried out and following such risk assessment an action plan will be prepared and any additional action required will be implemented. This will be reviewed annually.
31. Staff will be responsible for ensuring the rear of the premises is kept tidy and no customers are loitering or causing a disturbance.
32. Suitable notices shall be displayed requesting people leave the premises in a quiet and orderly manner so as to not to disturb residents.
33. Signs within the premises shall be erected directing patrons to the use of services of the dedicated taxi company.
34. Taxi drivers of the dedicated taxi company and local firms shall be instructed not to sound car horns to attract customer attention.
35. There shall be no movement of musical or amplification equipment from the premises between the hours of 12 midnight and 8am.
36. A CCTV system will be installed at the premises and maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system is to be capable of capturing a clear facial image of all patrons who enter the premises.
37. All CCTV footage shall be kept for a period of 31 days and shall, upon request, be immediately made available to officers of the Police and Council.
38. That a personal licence holder is on the premises and on duty at all times intoxicating liquor is supplied.
39. An accurate record shall be kept of the number of persons admitted to each part of the premises. Such records shall be retained for six months and made available to the responsible authorities.
40. There shall be a suitable number of adequately trained staff to prevent overcrowding in parts of the premises, to keep exit routes clear and to ensure safe evacuation of people from the premises. In the event of an emergency staff will have been issued with specific duties in the event of an emergency.
41. All staff will receive training on the safe evacuation of premises in the event of an emergency and such training will be repeated at least annually. A record of the training provided shall be kept at the premises for at least 12 months and shall be

- made available to the fire service or council upon request.
42. Adequate arrangements will be made in the fire evacuation plan to ensure the safe evacuation of any disabled persons in the event of any emergency.
 43. All escape doors and escape routes will be checked before the premise open for trading to the public and records of the checks shall be maintained.
 44. All fire doors shall be available and shall be capable of opening without the use of any key, card, code or similar means.
 45. Fire doors will be self closing and shall not be held open other than by devices approved by the Fire Service.
 46. Edges to steps and stairways shall be maintained so as to be conspicuous.
 47. Notices detailing the action to be taken in the event of fire or other emergency will be prominently displayed at the premises.
 48. Fire alarm/ fire evacuation/ emergency lighting tests will be carried out at least monthly and a record maintained of those tests. Such records to be kept at the premises for at least 12 months and made available to the Fire Service and the Council.

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

Provision of regulated entertainment

- | | |
|---|--------------------------|
| | <i>Please tick ✓ yes</i> |
| a. plays | <input type="checkbox"/> |
| b. films | <input type="checkbox"/> |
| c. indoor sporting events | <input type="checkbox"/> |
| d. boxing or wrestling entertainment | <input type="checkbox"/> |
| e. live music | <input type="checkbox"/> |
| f. recorded music | <input type="checkbox"/> |
| g. performances of dance | <input type="checkbox"/> |
| h. anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/> |

Provision of entertainment facilities for

- | | |
|---|--------------------------|
| | <i>Please tick ✓ yes</i> |
| i. making music | <input type="checkbox"/> |
| j. dancing | <input type="checkbox"/> |
| k. entertainment of a similar description to that falling within (i) or (j) | <input type="checkbox"/> |

Provision of late night refreshment

☐

Sale by retail of alcohol

☐

(Note that this can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm)

Enclosures

- | | |
|--|--------------------------|
| I have enclosed the premises licence/ club premises certificate | <input type="checkbox"/> |
| I have enclosed the relevant part of the premises licence/ club premises certificate | <input type="checkbox"/> |
| I have included a copy of the plan
(necessary if the proposed variation will affect the layout) | <input type="checkbox"/> |

If you have not ticked one of the previous three boxes, please explain why in the box below.

Reasons why you have failed to enclose the premises licence/~~club premises certificate~~ or relevant parts.

The premises licence is with the Licensing Authority awaiting issue following an application to change the Designated Premises Supervisor to Mr. Christopher Intrieri.

Any further information to support your application. (See Guidance Note 4)

This application has been made in consultation with the Licensing, Trading Standards, Health and Safety and Environmental Protection Teams of Southwark Borough Council and Ian Clements and Keith Dempster of the Metropolitan Police.

CHECKLIST:

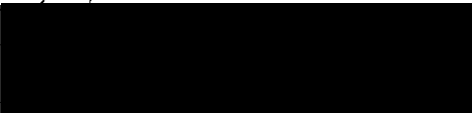
Please tick ✓ yes

- I have made or enclosed payment of the fee ☒
- I have enclosed the plan, if appropriate, of the premises in scale (1mm to 100mm), unless otherwise agreed with the licensing authority ☒
- I have enclosed the premises licence/~~club premises certificate~~ or relevant part of it or provided an explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- I understand that I am required to advertise my application by posting a white notice a or on the premises for ten consecutive working days commencing on, and including the day after the day when my application is given to the licensing authority. ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures and Contact Details

(See Guidance Note 5)

Premises Licence: Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (See Guidance Note 6) If signing on behalf of  and in what capacity you are authorised to sign:

Signature:

Date:

9th MAY 2012

Capacity: We Poppleston Allen – Licensing Solicitors sign on behalf of and have authority to bind the applicant.

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (See Guidance Note 7). If signing on behalf of the applicant please state in what capacity.

Signature:

Date:

Capacity: I / We (insert full name and capacity) sign on behalf of and have authority to bind the applicant.

Where the premises is a club

I (insert full name) make this application on behalf of the club and have authority to bind the club

Signature:

Date:

Capacity: I / We (insert full name and capacity) sign on behalf of and have authority to bind the applicant.

Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 8)

Clare Eames

Poppleston Allen Solicitors
88 Kingsway

Post town London

Post code WC2B 6AA

Telephone number (if any)

If you would prefer us to correspond with you by email
your email address (optional)

Notes for Guidance

1. General Note: The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

It cannot be used to:

- extend the period for which the licence or certificate has effect;
- transfer the licence or certificate from one premises to another;
- specify, in a premises licence, an individual as the premises supervisor
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D(3) in a premises licence.

2. Description of premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines, etc.

3. Give full details of all the proposed variation(s). Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. **(However, there is a box at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation).** Relevant information includes:

a) Variations to licensable activities/licensing hours (all timings should be given in 24 hour clock (e.g. 16.00). Only give details for the days of the week when you intend the premises to be used for the activity), such as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors. Indoors may include a tent;
- Relevant further details, for example whether music will be amplified or unamplified;
- Standard days and timing when the activity will take place, including start and finish times;
- Any seasonal variations in timings, e.g. additional days during the summer;
- Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.

b) Variations to premises/club layout: If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:

- increase capacity for drinking on the premises;
- affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or
- impede the effective operation of a noise reduction measure.

c) Revisions, removals and additions of conditions: The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).

d) Variations to opening hours: Details of any changes to hours when the premises or club is open to the public.

4. Further information: You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

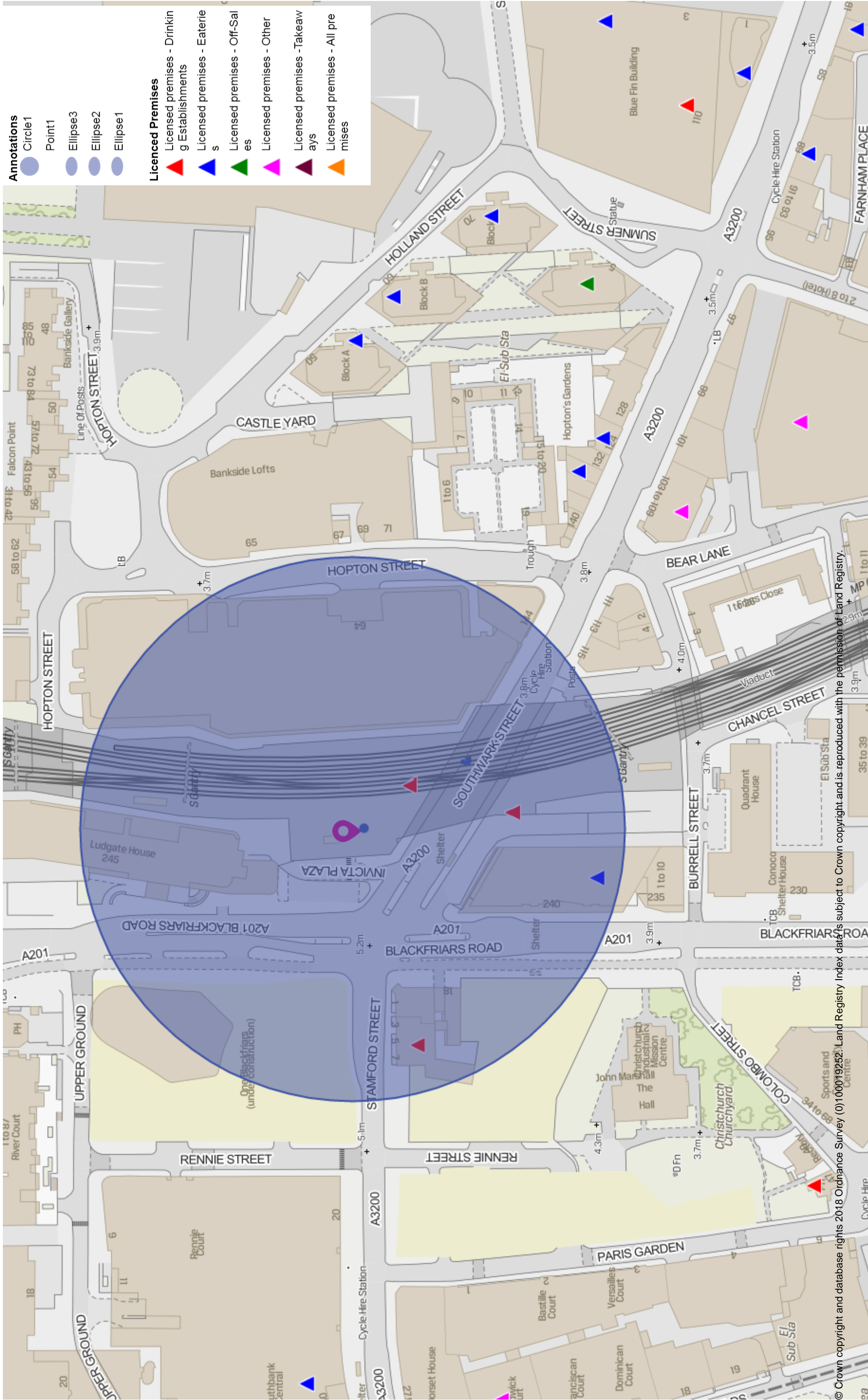
5. Signatures: The application form must be signed.

6. Authorised agent: An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

7. 2nd Applicant: Where there is more than one applicant both applicants or their respective agents must sign the application form.

8. This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided."





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